



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4990

Introduced 1/21/2010, by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

220 ILCS 5/13-900

Amends the Universal Telephone Service Protection Law of 1985 in the Public Utilities Act. Provides that provisions concerning the authority to serve as a 9-1-1 system provider do not apply to a not-for-profit entity that is involved in a regional pilot project to implement Next Generation 9-1-1 based on the Research and Innovative Technology Administration in the United States Department of Transportation. Effective immediately.

LRB096 18572 MJR 33954 b

1 AN ACT concerning utilities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Utilities Act is amended by changing
5 Section 13-900 as follows:

6 (220 ILCS 5/13-900)

7 (Section scheduled to be repealed on July 1, 2010)

8 Sec. 13-900. Authority to serve as 9-1-1 system provider;
9 rules.

10 (a) The General Assembly finds that it is necessary to
11 require the certification of 9-1-1 system providers to ensure
12 the safety of the lives and property of Illinoisans and
13 Illinois businesses, and to otherwise protect and promote the
14 public safety, health, and welfare of the citizens of this
15 State and their property.

16 (b) For purposes of this Section:

17 "9-1-1 system" has the same meaning as that term is
18 defined in Section 2.19 of the Emergency Telephone System
19 Act.

20 "9-1-1 system provider" means any person, corporation,
21 limited liability company, partnership, sole
22 proprietorship, or entity of any description whatever that
23 acts as a system provider within the meaning of Section

1 2.18 of the Emergency Telephone System Act.

2 "Emergency Telephone System Board" has the same
3 meaning as that term is defined in Sections 2.11 and 15.4
4 of the Emergency Telephone System Act.

5 "Public safety agency personnel" means personnel
6 employed by a public safety agency, as that term is defined
7 in Section 2.02 of the Emergency Telephone System Act,
8 whose responsibilities include responding to requests for
9 emergency services.

10 (c) Except as otherwise provided in this Section, beginning
11 July 1, 2010, it is unlawful for any 9-1-1 system provider to
12 offer or provide or seek to offer or provide to any emergency
13 telephone system board or 9-1-1 system, or agent,
14 representative, or designee thereof, any network and database
15 service used or intended to be used by any emergency telephone
16 system board or 9-1-1 system for the purpose of answering,
17 transferring, or relaying requests for emergency services, or
18 dispatching public safety agency personnel in response to
19 requests for emergency services, unless the 9-1-1 system
20 provider has applied for and received a Certificate of 9-1-1
21 System Provider Authority from the Commission. The Commission
22 shall approve an application for a Certificate of 9-1-1 System
23 Provider Authority upon a showing by the applicant, and a
24 finding by the Commission, after notice and hearing, that the
25 applicant possesses sufficient technical, financial, and
26 managerial resources and abilities to provide network service

1 and database services that it seeks authority to provide in its
2 application for service authority, in a safe, continuous, and
3 uninterrupted manner.

4 (d) No incumbent local exchange carrier that provides, as
5 of the effective date of this amendatory Act of the 96th
6 General Assembly, any 9-1-1 network and 9-1-1 database service
7 used or intended to be used by any Emergency Telephone System
8 Board or 9-1-1 system, shall be required to obtain a
9 Certificate of 9-1-1 System Provider Authority under this
10 Section. No entity that possesses, as of the effective date of
11 this amendatory Act of the 96th General Assembly, a Certificate
12 of Service Authority and provides 9-1-1 network and 9-1-1
13 database services to any incumbent local exchange carrier as of
14 the effective date of this amendatory Act of the 96th General
15 Assembly shall be required to obtain a Certificate of 9-1-1
16 System Provider Authority under this Section.

17 (e) Any and all enforcement authority granted to the
18 Commission under this Section shall apply exclusively to 9-1-1
19 system providers granted a Certificate of Service Authority
20 under this Section and shall not apply to incumbent local
21 exchange carriers that are providing 9-1-1 service as of the
22 effective date of this amendatory Act of the 96th General
23 Assembly.

24 (f) This Section does not apply to a not-for-profit entity
25 that is involved in a regional pilot project to implement Next
26 Generation 9-1-1 based on the Research and Innovative

1 Technology Administration in the United States Department of
2 Transportation.

3 (Source: P.A. 96-25, eff. 6-30-09.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.